

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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VITA BELLA HOMEOWNERS ASSOCIATION,

Case No. 2:15-CV-515 JCM (VCF)

ORDER

Plaintiff(s),

V.

FEDERAL NATIONAL MORTGAGE
ASSOCIATION, et al.,

Defendant(s).

Presently before the court is *Vita Bella Homeowners Association v. Federal National Mortgage Association et al*, case number 2:15-cv-00515-JCM-VCF.

On March 9, 2017, this court granted defendants Federal Housing Finance Agency (“FHFA”) and Federal National Mortgage Association’s (“Fannie Mae”) motion for summary judgment. (ECF No. 54). On April 7, 2017, plaintiff Vita Bella Homeowners Association filed a notice of appeal. (ECF No. 55). On August 28, 2017, the Ninth Circuit dismissed plaintiff’s appeal for failure to prosecute. (ECF No. 59).

On December 29, 2017, the court ordered the parties to file a joint status report. (ECF No. 62). “Failure to file a joint status report will result in dismissal of plaintiff’s complaint for failure to prosecute.” *Id.*

On January 22, 2018, defendants FHFA and Fannie Mae filed a unilateral status report. (ECF No. 63). Defendants state that they made several attempts to file a joint status report with plaintiff, but plaintiff’s counsel would not respond to their requests. *Id.* The parties “have agreed that this action should also be dismissed with prejudice.” *Id.*

1 Based on this court’s order granting summary judgment in favor of defendants, the Ninth
2 Circuit’s dismissal of plaintiff’s appeal for failure to prosecute, plaintiff’s failure to timely respond
3 to this court’s order or defendants’ outreach, and defendant’s request for dismissal, the court will
4 dismiss the action.

5 | Accordingly,

6 IT IS HEREBY ORDERED that this case, *Vita Bella Homeowners Association v. Federal*
7 *National Mortgage Association et al*, case number 2:15-cv-00515-JCM-VCF, be, and the same
8 hereby is, DISMISSED WITH PREJUDICE.

9 The clerk shall enter judgment accordingly and close the case.

10 DATED January 23, 2018.

Xenos C. Mahan
UNITED STATES DISTRICT JUDGE